

## REMARKS

Claims 19-37 are pending in this application. Reconsideration of the present application in view of the foregoing amendments and following remarks is respectfully requested.

Applicants thank the Examiner for acknowledging the claim for foreign priority under 35 U.S.C. 119, as well as the indication that all certified copies of the priority documents have been received.

Claims 19-37 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,169,515 (“Mannings”). It is respectfully submitted that the claims 19-37 are not anticipated by Mannings for at least the following reasons.

To anticipate a claim under § 102(e), a single prior art reference must identically disclose each and every claim element. See Lindeman Machinenfabrik v. American Hoist and Derrick, 730 F.2d 1452, 1458 (Fed. Cir. 1984). If any claimed element is absent from a prior art reference, it cannot anticipate the claim. See Rowe v. Dror, 112 F.3d 473, 478 (Fed. Cir. 1997). Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claim invention, arranged exactly as in the claim. Lindeman, 703 F.2d 1458 (Emphasis added). Additionally, not only must each of the claim limitations be identically disclosed, an anticipatory reference must also enable a person having ordinary skill in the art to practice the claimed invention, namely the inventions of the rejected claims, as discussed above. See Akzo, N.V. v. U.S.I.T.C., 1 U.S.P.Q.2d 1241, 1245 (Fed. Cir. 1986). To the extent that the Examiner may be relying on the doctrine of inherent disclosure for the anticipation rejection, the Examiner must provide a “basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristics necessarily flow from the teachings of the applied art.” (See M.P.E.P. § 2112; emphasis in original; see also Ex parte Levy, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990)).

Claim 19 recites the following:

19. A method for at least one of encoding, decoding and transmitting location information, the method comprising:  
at least one of encoding, decoding and transmitting location information of a data packet, **the location information including locating**

**information and description information, wherein the data packet separately contains the locating information and the description information, and includes assignment information for assigning at least a part of the locating information to at least a part of the description information.**

Independent claims 30, 31, 33 and 36 recite features substantially similar to the above-recited features of claim 19, i.e., **“the location information including locating information and description information, wherein the data packet separately contains the locating information and the description information, and includes assignment information for assigning at least a part of the locating information to at least a part of the description information.”**

While the Examiner cites column 7, lines 40-48 of Mannings as allegedly teaching the above-recited features of claims 19, 30, 31, 33 and 36, the cited section of Mannings does not identically disclose the above-recited claimed features. Column 7, lines 40-48 of Mannings contains the following:

The mobile part obtains location information using the GPS receiver 7 and transmits this information, together with a request for directions to a specified destination, to the fixed part, where a server 16 relates the location information to its geographical database 17 and obtains message information associated with the location from the database 18, and transmits the information back to the mobile part.

In interpreting the teachings of this cited section of Mannings as applied against Applicants' claims 19, 30, 31, 33 and 36, the Examiner contends that the claimed “data packet” is taught by the “geographic database 17 and location database 18” of Mannings. Applicants note that the Examiner's asserted interpretation is clearly unreasonable, since “data packet” and “database” are completely different elements. For example, the following definitions are provided in High-Tech Dictionary (at <http://www.computeruser.com/resources/dictionary/>): a) “data packet”: “A format in which data is transmitted over a network. A packet contains the data itself as well as addresses, error checking, and other information necessary to ensure the packet arrives intact at its intended destination”; and b) “database”: “1. A large collection of data organized for rapid search and retrieval. 2. A program that manages data, and can be used to store, retrieve, and

sort information.” In view of this fundamental difference between “data packet” and “database,” Applicants respectfully submit that the “geographic database 17 and location database 18” of Mannings cannot be reasonably interpreted as being equivalent to the claimed “data packet.”

Independent of the above, nothing in Mannings (including cited column 7, lines 40-48) teaches or suggests that **“the data packet . . . includes assignment information for assigning at least a part of the locating information to at least a part of the description information.”** Indeed, as disclosed in further detail in column 7, line 61 to column 8, line 55 of Mannings, the operation of the navigation information system of Mannings principally involves sending locating information to the server, in response to which a message information is sent back. In the system of Mannings, once the user requests service by calling a server, the server identifies the location of the user by interrogating the GPS receiver of the user’s vehicle, and the server further identifies the overlay area within which that position is located. (Col. 7, l. 61 – col. 8, l. 24). If the user’s vehicle enters an overlay area for which an instruction message is defined, then the system sends the instruction message (e.g., turn instruction, error, etc.) to the user’s vehicle. (Col. 8, l. 51-55). However, nothing in Mannings teaches or suggests **“the location information including locating information and description information, wherein the data packet separately contains the locating information and the description information,”** let alone any teaching or suggestion that **“the data packet . . . includes assignment information for assigning at least a part of the locating information to at least a part of the description information.”**

For at least the foregoing reasons, Applicants respectfully submit that Mannings does not anticipate independent claims 19, 30, 31, 33 and 36. Accordingly, claims 19, 30, 31, 33 and 36, as well as their dependent claims 20-29, 32, 34, 35 and 37, are allowable over Mannings. It is respectfully requested that the anticipation rejections of claims 19-37 be withdrawn.

**CONCLUSION**

In light of the foregoing, Applicants respectfully submit that all pending claims 19-37 are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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Dated: 4/28/05

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